

# ZONING BY-LAW

TOWN OF



ARLINGTON

MASSACHUSETTS

1928



**Zoning By-Law**  
of the  
**Town of Arlington**  
Massachusetts

## ZONING BY-LAW TOWN OF ARLINGTON

Section 1. Establishment of Districts. For the purposes of this by-law, the Town of Arlington is hereby divided into districts of six classes, to be known as:

1. Single residence districts,
2. General residence districts,
3. Semi-residence districts,
4. Business districts,
5. Industrial districts,
6. Unrestricted districts,

and which are as shown upon a plan entitled "Town of Arlington, Massachusetts, Zoning Map, prepared under the direction of the Zoning Committee, by John P. Fox, consultant on Zoning, March, 1924," as now amended and to be filed in the office of the Town Clerk which map together with all the boundary lines, designations and explanatory matter thereon, is hereby referred to and made a part of this by-law.

Section 2. Single Residence Districts. In the single residence districts, no new building or part thereof shall be constructed or used and no building or part thereof shall be altered, enlarged, reconstructed and or used, for

- (a) Any industry, trade, manufacturing or commercial purpose;
- (b) Any purpose except one or more of the following:
  1. Single family detached dwelling house;
  2. Church;
  3. Public school, or other public purpose;
  4. Private school, college, library, museum, or



- other purpose of an educational character ;
5. Club, except a club the chief activity of which is a service customarily carried on as a business ;
  6. Farm, market garden, nursery, or greenhouse, including the sale of natural products raised on the premises ;
  7. Such accessory purposes as are customary or usual in connection with any of the foregoing purposes numbered 1 to 6 both inclusive, and are incidental thereto, including a private garage and a private stable ;

(c) Provided, however, that an existing double house or two-family house, destroyed by fire, may be reconstructed, and, if permission of the Selectmen is obtained in the manner provided in Section 16, a single family detached dwelling house may be altered, enlarged or reconstructed and used as a residence for not more than two families or as a boarding house, and buildings may be constructed, altered, enlarged or reconstructed and used for one or more of the following purposes :

1. Public or semi-public institution of a philanthropic, charitable or religious character, hospital, sanitarium, or other medical institution, but not a correctional institution or place of detention ;

2. Such accessory purposes as are customary or usual in connection with any of the foregoing purposes and are incidental thereto but not for any industry, trade, manufacturing or commercial purpose.

Section 3. General Residence Districts. In the

general residence districts, no new building or part thereof shall be constructed or used and no building or part thereof shall be altered, enlarged, reconstructed or used, for

(a) Any industry, trade, manufacturing or commercial purpose;

(b) Any purpose except one or more of the following:

1. Any purpose or accessory purpose authorized by Paragraph (b) of Section 2;
2. Double house, duplex house, two-family house or group house consisting of three or more contiguous single family houses separated by fire resisting party walls;
3. Boarding house or lodging house;
4. Such accessory purposes as are customary or usual in connection with any of the foregoing purposes specified in this Paragraph (b) and are incidental thereto, including a private garage and a private stable;

(c) Provided, however, that if permission of the Selectmen is obtained in the manner provided in Section 16, buildings may be constructed, altered, enlarged or reconstructed, and used for one or more of the following purposes:

- (a) Public or semi-public institution of a philanthropic, charitable, or religious character, hospital, sanitarium, or other medical institution, but not a correctional institution or place of detention;
- (b) Such accessory purposes as are customary or usual in connection with any of the foregoing purposes and are incidental

thereto, but not for any industry, trade, manufacturing or commercial purpose.

Section 4. Semi-Residence Districts. In the semi-residence districts, no new building or part thereof shall be constructed or used and no building shall be altered, enlarged, reconstructed or used, for any purpose or accessory use except such as is authorized or may be permitted in the single residence districts or the general residence districts, except that the first floor, basement, and cellar of any new or existing building may be used for one or more of the purposes and accessory uses authorized in business districts, provided that the total floor space used for any industry, trade, manufacturing, business or commercial purposes on any one lot, or on adjoining lots, if part of the same establishment, shall not exceed a total area of 2,000 square feet, unless permission of the Selectmen is obtained in the manner provided in Section 16, for the use of such additional specified floor space as they shall find is reasonably necessary for the conduct of the business.

Section 5. Business Districts. In the business districts, no new building or part thereof shall be constructed or used and no building or part thereof shall be altered, enlarged, reconstructed or used, for any purpose except one or more of the following:

1. Any purpose or accessory purpose which is authorized or may be permitted in the single residence districts or in the general residence districts;
2. Residence for more than two families, apartment house, apartment hotel, tenement

house, or hotel either in combination with or apart from any other use authorized by this Section;

3. Restaurant or other eating place;
4. Store, salesroom, or showroom for the conduct of retail business.
5. Theatre, hall, club, or other organization, dancing academy or other place of amusement or assembly;
6. Office, bank, or other monetary institution;
7. Public or semi-public building;
8. Place of business of a

Baker,	Manicure,
Builder,	Mason,
Butcher,	Milliner,
Cabinet-maker,	Newspaper,
Carpenter,	Optician,
Caterer,	Painter,
Cleaner,	Paper Hanger
Confectioner,	Photographer,
Contractor,	Plumber,
Decorator,	Printer,
Dressmaker,	Publisher,
Druggist,	Roofer,
Dyer,	Shoemaker,
Electrician,	Shoe-repairer,
Florist,	Shoe-shiner,
Furrier,	Tailor,
Grocer,	Telephone Exchange,
Hairdresser,	Tinsmith,
Laundry,	Undertaker,

Upholsterer;

9. Public garage, public stable or gasoline filling station;



10. Any purpose which the Selectmen shall find in a specific case to be similar to any of the purposes authorized by Paragraph 8 of this Section if permission of the Selectmen is obtained in the manner provided in Section 16;
11. Such purposes as are customary or usual in connection with any of the foregoing purposes specified in this Section and are incidental thereto;
12. Such industry, trade or light manufacturing as is customary or usual in connection with, or is part of, any of the purposes authorized or permitted under the provisions of this Section and is incidental thereto if such industry, trade, or light manufacturing is carried on in the same building or on the same premises as the business or use with which it is connected, provided, however, that
  - (a) No industry, trade or light manufacturing shall be carried on in a business district which is prohibited or not authorized in the industrial districts, or is dangerous to the neighborhood from fire, explosion or other cause;
  - (b) The total floor space which may be used for industry, trade or light manufacturing on any one lot, or on adjoining lots if part of the same establishment, shall not exceed a total area of two thousand square feet, unless permission of the Selectmen is obtained in the manner provided in Section 16 for the use of such

additional specified floor space as they shall find is reasonably necessary for the conduct of the business.

#### Section 6. Industrial Districts.

A. In the industrial districts, new buildings may be constructed and used and buildings may be altered, enlarged, reconstructed and used, for

1. Any purpose or accessory purpose which is authorized or may be permitted in the single residence districts, general residence districts and business districts;
2. Any industry, trade, manufacturing, commercial or other purpose not prohibited by Paragraph B of this Section or by any law, statute or by-law of the Town;
3. Such accessory purposes as are customary or usual in connection with the purposes authorized by this Section and are incidental thereto.

B. No new building or part thereof shall be constructed or used and no building or part thereof shall be altered, enlarged, reconstructed or used, for any of the following specified purposes, unless such purpose is accessory and incidental to, or usual in connection with, a purpose authorized by this Section:

1. Acetylene gas manufacturing; ammonia, bleaching powder or chlorine manufacturing; asphalt manufacturing or refining; assaying, other than gold or silver; blast furnace; boiler making; brass, copper, iron or steel manufacturing; brick, terra cotta or tile manufacturing; candle manufacturing; celluloid manufacturing, treatment or storage; cement, lime or plaster of paris manu-

facturing; coal tar products manufacturing; coke manufacturing; cork manufacturing; cremation, except in a cemetery; creosote treatment or manufacturing; dextrine, glucose or starch manufacturing; disinfectant, insecticide or poison manufacturing; distillation of bones, coal and wood; dyestuff manufacturing; emery cloth or sandpaper manufacturing; enamel, Japan, lacquer, oil, paint, shellac, turpentine or varnish manufacturing; explosives, fireworks or gunpowder manufacturing; fat rendering; fertilizer manufacturing, fish packing or storage; gasoline, naphtha or petroleum refining; gelatine, glue or sizing manufacturing; grease, lard or tallow manufacturing; hydro-chloric, nitric, picric, sulphuric or sulphurous acid manufacturing; incineration or reduction of dead animals, garbage, offal or refuse, except in a municipal plant; lampblack manufacturing; linoleum or oilcloth manufacturing; match manufacturing; ore reduction; pickle, sauerkraut, sausage or vinegar manufacturing; potash refining; printing ink manufacturing; pyroxylin plastic manufacturing; rolling mill; rubber, caoutchouc or gutta-percha manufacturing; salt manufacturing; shoe blacking, shoe cleaner or shoe polish manufacturing; slaughtering of animals or fowls, except on premises used for farming, or in the case of fowls to be sold at retail on the premises; smelting of iron; soap manufacturing; soda and soda compounds manufacturing; stockyards; stove blacking or polish manufacturing; sugar refining; tanning, curing, or storage of raw leather, raw hides or skins; tar distillation or manufacturing; tar roofing or tar waterproofing manufacturing;

tobacco (chewing) manufacturing; yeast manufacturing.

2. Any use which would be injurious, obnoxious or offensive to a neighborhood, by reason of noise, vibration, smoke, cinders, odor, gas, fumes, dust, chemicals, or other objectionable feature or dangerous to a neighborhood through fire, explosion or for any other cause.

Section 7. Unrestricted Districts. In any unrestricted district new buildings may be constructed and used and buildings may be altered, enlarged, reconstructed and used, for any purposes not prohibited by law, statute, regulation, or by-law of the Town.

Section 8. Non-Conforming Buildings and Uses.

A. This by-law shall not prohibit the continued use of any building or any part thereof for the purpose or purposes for which such building or part is used at the time this by-law takes effect.

B. If any building existing at the time this by-law takes effect is then used in whole or in part for a purpose for which a new building may not be constructed or used under the provisions of this by-law, this by-law shall not prohibit the changing of such use of such building or part to a use which is not substantially different from the existing use, provided the building is not altered structurally.

C. A building existing at the time this by-law takes effect and then used for a purpose for which a new building may not be constructed or used, may, if permission of the Selectmen is obtained in the manner provided in Section 16, be altered, enlarged, reconstructed or replaced, if destroyed or



damaged by fire or other cause, or moved to another location in the same class of district or into any other district following it in the classification set forth in Section 1.

D. Any building or part thereof may be altered, enlarged or reconstructed and used, and any other building may be used, as part of an establishment existing at the time this by-law takes effect even though such use be otherwise prohibited under the provisions of this by-law, provided permission of the Selectmen is obtained in the manner set forth in Section 16.

E. Any existing building may be used and any new building may be constructed and used in any district for a purpose or purposes otherwise prohibited by this by-law, for periods not exceeding one year at a time, providing permission of the Selectmen is obtained in the manner set forth in Section 16.

F. Any existing building, establishment or use may at any time be extended or moved a distance not exceeding fifty feet into an adjoining district, provided permission of the Selectmen is obtained in the manner set forth in Section 16.

G. A building used or to be used by a public service corporation may be exempted from the operation of this by-law as to its situation in any district if, upon a petition of the corporation, the Department of Public Utilities shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public.

## HEIGHT

Section 9. Single Residence, General Residence, and Semi-Residence Districts.

A. In the single residence, general residence and semi-residence districts, no building shall be constructed, altered, enlarged, reconstructed or raised up so as to contain more than three stories, or so as to exceed a height of forty-five feet, except as otherwise provided in this Section.

B. The foregoing limitation as to height in feet shall not apply to chimneys, ventilators, skylights, water tanks, bulkheads, penthouses and other accessory additions which are required or are customarily carried above the roofs of buildings, nor to towers, spires, domes, cupolas, and similar additions to buildings if such additions are not used for living purposes.

C. A building may be erected to a greater height in feet, but not in stories, in a specific case, provided the portion of the building above the height of forty-five feet is not used for living purposes, and provided permission of the Selectmen is obtained in the manner set forth in Section 16.

Section 10. Business, Industrial and Unrestricted Districts.

A. In the business, industrial and unrestricted districts, no building shall be constructed, altered, enlarged, reconstructed, or raised up so as to contain more than four stories, or so as to exceed a height of sixty feet, except as otherwise provided in this Section.

B. The foregoing limitation as to height in feet shall not apply to chimneys, ventilators, skylights,

water tanks, bulkheads, penthouses and other accessory additions which are required or are customarily carried above the roofs of buildings, nor to towers, spires, domes, cupolas and similar additions to buildings if such additions are not used for living purposes.

C. A building may be erected to a greater height in feet but not in stories, in a specific case, provided the portion of the building above the height of sixty feet is not used for living purposes, and provided permission of the Selectmen is obtained in the manner set forth in Section 16.

## AREA

### Section 11. Single Residence Districts.

A. In the single residence districts, no building or buildings on any one lot, including garages, stables and other accessory buildings, shall be constructed, altered, enlarged, reconstructed or moved, so as to occupy at the level of the first story exclusive of uncovered steps more than forty per cent. of the area of the lot, provided, however, that this restriction shall not prohibit the erection of a private garage for not more than two cars which is accessory to and used with a building existing when this by-law takes effect and used as a residence for a single family.

B. No part of any building, except uncovered steps, shall be constructed, altered, enlarged, reconstructed or moved, so as to be less than fifteen feet from any street lines, or except one and two-car garages less than seven and one-half feet from the line of any adjoining lot or less than fifteen feet from any other building on the same lot, ex-

cept as otherwise provided in this section.

(Amended Oct. 24, 1924.)

C. Distances less than those set forth in Paragraph B of this Section, but not less than those required by the building by-laws or other provisions of law, may be used in specific cases where because of difficulties of construction the Selectmen give permission for such less distances, such permission being obtained in the manner set forth in Section 16.

#### Section 12. General Residence Districts.

A. In the general residence districts, no building or buildings on any one lot, including garages, stables and other accessory buildings, shall be constructed, altered, enlarged, reconstructed or moved, so as to occupy at the level of the first story exclusive of uncovered steps more than fifty per cent. of the area of the lot, provided, however, that this restriction shall not prohibit the erection of a private garage for not more than two cars which is accessory to and used with a building existing when this by-law takes effect and used as a residence.

B. No part of any building, except uncovered steps, shall be constructed, altered, enlarged, reconstructed or moved, so as to be less than ten feet from any street line, or except one and two-car garages less than five feet from the line of any adjoining lot except in the case of a party wall of a double, semi-detached or group house, or less than ten feet from any other building on the same lot, except as otherwise provided in this Section.

(Amended Oct. 24, 1924.)



C. Distances less than those set forth in Paragraph B of this Section, but not less than those required by the building by-laws or other provisions of law, may be used in specific cases where because of difficulties of construction the Selectmen give permission for such less distances, such permission being obtained in the manner set forth in Section 16.

Section 13. Semi-Residence, Business and Industrial Districts. In the Semi-Residence, Business and Industrial Districts no story or stories intended, arranged, or used for living purposes in any building or buildings on any one lot, shall be constructed, altered, enlarged, reconstructed or moved so that the total area of the floor or floors intended, arranged or used for living purposes on the same general level shall exceed eighty (80) per cent of the area of a corner lot as defined in the building by-laws of the Town or sixty (60) per cent of the area of any other lot, except that on an interior lot as defined in said building by-laws, less than eighty (80) feet deep, the total area of the floor or floors intended, arranged or used for living purposes on the same general level may exceed said sixty (60) per cent of the area of such lot by one (1) per cent of such lot area for every two (2) feet that such lot is less than eighty (80) feet deep, but shall in no case exceed seventy (70) per cent of such interior lot area. No measurement of lot area shall include any part of any street or alley.

(Amended April 26, 1926.)

Section 14. Reduction of Lot Area.

Whenever any lot on which is located any build-

ing used for residence purposes in any district shall be reduced or changed in area or shape so that the building or lot fails to comply with the provisions of Sections 11, 12 and 13 of this by-law, such building shall not thereafter be used until it is altered, reconstructed or relocated so as to comply with the provisions of said Sections, provided, however, that this section shall not apply in the case of a lot a portion of which is taken for a public purpose.

#### Section 15. District Boundaries.

The location of the boundary lines of the districts shown upon the Zoning map shall be determined as follows:

1. When the boundary lines are shown upon said map within the street lines of public or private ways, the center lines of such ways shall be the boundary lines.
2. Where the boundary lines are shown approximately on the location of property or lot lines, and the exact location of the boundary lines is not indicated by means of figures, distances or otherwise, then the property or lot lines shall be the boundary lines.
3. Boundary lines located outside of such street lines and shown approximately parallel thereto shall be regarded as parallel to such street lines; and figures placed upon said map between such boundary lines and street lines are the distances in feet of such boundary lines from such street lines, such distances being measured at right

angles to such street lines unless otherwise indicated.

4. In all cases which are not covered by the other provisions of this section, the location of boundary lines shall be determined by the distances in feet, if given, from other lines upon said map, or, if distances are not given, then by the scale of said map.
5. Whenever any uncertainty exists as to the exact location of a boundary line, the location of such line shall be determined by the Inspector of Buildings, provided, however, that any person aggrieved by his decision may appeal to the Selectmen or Board of Appeal, as provided in Section 19.

#### Section 16. Permission of the Selectmen.

Any person or persons desiring to obtain the permission of the Selectmen for any purpose for which such permission is required under the provisions of this by-law, shall make application in writing therefor to the Selectmen, who shall within thirty days hold a public hearing thereon, fourteen days' public notice of which shall be given at the expense of the applicant.

The applicant shall also, at least ten days prior to the hearing, give written notice to all the owners of real estate opposite to or abutting on the property in connection with which any permission is sought, and to such others as the Selectmen may order or by regulation prescribe, and shall at least ten days before the hearing post a notice of the hearing stating the nature of the petition,

upon the property in connection with which permission is sought, in a conspicuous location adjacent to a street on which the property is situated.

If any such owner shall object, the permission shall be granted only by the unanimous vote of all the Selectmen.

At said hearing, or as soon as may be thereafter, and in any event within ten days after the final adjournment of said hearing, the Selectmen shall expressly find and determine:

A. If permission is sought to use a building for a use accessory, incidental to or usual in connection with a purpose permitted by any section of this by-law, whether such use is in fact accessory, incidental to or usual in connection therewith.

B. Whether the use of a building, for the purpose for which permission is sought, is or would be in violation of the provisions of Section 17.

C. Any other facts in their opinion material to their decision.

As soon as may be after the final adjournment of the hearing, and in any event within ten days thereafter, the Selectmen shall adopt an order, notice of which shall be given to the petitioner and any persons who have appeared at the hearing and requested such notice, which shall embody their findings, and grant or refuse the permission applied for, in accordance with such findings.

#### Section 17. Restrictions Affecting All Districts.

No new building or part thereof shall be constructed or used and no building or part thereof shall be altered, enlarged, reconstructed, or used, in any part of the town, any other provision of this by-law to the contrary notwithstanding.



A. For any purpose which by the emission or discharge of fumes, vapor, gas, dust, offensive odors, chemicals, poisonous fluids or substances, refuse, organic matter, or excrement, the causing of noise or vibrations, or by unduly increasing the risk from fire or explosion, or otherwise, would be dangerous or injurious to the public health or safety.

B. For any purpose harmful to the public morals.

C. For any purpose which would be for any reason injurious to the health, safety, morals or welfare of the community in any of the districts designated in Section 1 or any adjacent district or harmful to property therein.

#### Section 18. Execution.

A. The Inspector of Buildings shall execute the provisions of the by-law, except where otherwise provided, and in so doing shall have the same powers as are provided for the execution and enforcement of the by-laws relating to building.

B. He shall grant no permit for the construction, erection, alteration, enlargement, reconstruction, moving or raising of any building which would be in violation of any of the provisions of this by-law.

C. If the Inspector of Buildings shall decide to grant any permit which might, within the purpose of this by-law, injuriously affect the real estate of any person other than the applicant for the permit, the Inspector shall cause a copy of the proposed permit or an adequate description thereof to be posted within twenty-four hours after such decision, upon the property to which the per-

mit relates, in a conspicuous location thereon adjacent to a street on which the property is situated, and he shall, by mailing to their last addresses known to him or otherwise, give, or cause the applicant to give, prompt notice thereof to all the owners of real estate opposite to or abutting upon the property to which the permit relates, or abutting on any public or private way upon which said property abuts at any point within one hundred feet therefrom, and to such other owners of real estate as he may deem desirable.

D. The Inspector of Buildings shall issue no such permit as is mentioned in Paragraph C of this Section until after the expiration of the time for appeal as provided in Section 19 hereof.

#### Section 19. Appeals.

A. Any person aggrieved by the refusal of a permit under the provisions of Section 18 may appeal to the Selectmen or to the Board of Appeals, if any, by filing with the said Inspector and the Selectmen, or such Board of Appeals, a claim of appeal in writing within ten days from the date of the action of the said Inspector appealed from.

B. Any owner of real estate mentioned or described in Paragraph C of Section 18 hereof and any other owner of real estate in the immediate neighborhood of property to which any such permit may relate, who, or whose property, is or may be injuriously affected by the granting of any such permit, as to health, safety or morals, may appeal to the Selectmen, or such Board of Appeals, by filing with the Inspector and the Selectmen, or such Board of Appeals, a claim of

appeal in writing within ten days from the date of the action appealed from.

Withing ten days from the date of the filing of a claim of appeal as provided in Paragraphs A and B of this Section, the Selectmen, or such Board of Appeals, shall hold a public hearing thereon. The appellant shall file in advance of the hearing such plans and information as the Selectmen, or such Board of Appeals, shall deem necessary, and give notice of the hearing by causing a notice thereof to be posted in a conspicuous location upon the property in respect to which the appeal is claimed, and by causing notices thereof to be delivered in hand to, or at the last and usual places of abode of, or by mailing to the last known addresses of, all owners of real estate to whom notices are required to be given in Paragraph C of Section 18, and to such other persons as the Selectmen, or such Board of Appeals, may require, and shall, if so required by the Selectmen or such Board of Appeals, at his expense publish a copy of the notice at least once in a newspaper published in the town.

The Selectmen, or such Board of Appeals, may approve, refuse or revoke the permit or affirm or reverse in whole or in part, or modify the permit, order, requirement, ruling or decision appealed from so that the same shall conform to the provisions of this by-law.

#### Section 20. Enforcement.

A. Whoever violates any provision of this by-law, or any of the lawful provisions of a permit issued by the Inspector of Buildings, or of any permission granted by the Selectmen, or such

Board of Appeals, or of any decision rendered by or order of the Selectmen or any officer or such Board of Appeals, shall be liable to a fine of not more than twenty dollars for each violation.

B. If the Inspector of Buildings shall be informed, or have reason to believe, that any provision of this by-law has been, is being or may be violated, he shall make or cause to be made an investigation of the facts and inspect the property where the violation may exist, and if he shall find any such violation he shall give notice thereof in writing to the owner or to his duly authorized agent and to the occupant of the premises, and order that any use of any building contrary to the provisions of this by-law shall immediately cease.

If after such notice the building is continued in such use contrary to the provisions of this by-law, or if any such owner or occupant shall fail to obey any lawful order of the Inspector in respect to any violation or use contrary to the provisions of this by-law, the Inspector may revoke the permit for occupation of the premises, and shall make complaint for such violation to a court having jurisdiction thereof, or apply to the Superior Court for an injunction or order restraining the further use of the premises, or both, and shall do all further acts and take any and all such action as may be necessary to enforce the provisions of this by-law.

#### Section 21. Definition.

Wherever used in this by-law, the words "building" and "buildings" shall be held to include respectively "structure" and "structures," if the context permits such meaning and if such inclusion



would not affect the validity of this by-law or of the section, paragraph or provision in which the word is used.

## Section 22. Amendment and Repeal.

This by-law, including the Zoning map and the boundary lines of the districts thereon, shall not be amended or repealed except after public notice of the proposed amendment or repeal shall have been given by publication in a newspaper published in the Town, or by posting in at least ten public places in the Town, including one such place in every precinct, and in no case except by a two-thirds vote of a Town meeting held for the purpose.

Every petition for the amendment, modification or repeal of this by-law, including the Zoning map and the boundary lines of the districts thereon, and every article in the Warrant for any Town meeting relating to any such amendment, modification or repeal, shall by the service of such Warrant upon any member of the Planning Board be held to have been referred to the Planning Board for consideration, and report at such meeting. Upon the receipt of any such petition or article in a Warrant, the Planning Board shall hold a public hearing, public notice of which shall have been given, and shall thereafter report thereon with its recommendations to the Town meeting.

No action shall be taken under any such article unless the report of the Planning Board shall have been made thereon, provided that if the Planning Board shall not make a report upon any such article at any meeting called for the purpose of acting thereon, action may be taken thereon, without

such report, at an adjourned session of the meeting, to be held not less than seven days thereafter.

#### Section 23. Existing By-Laws Not Repealed.

Nothing contained in this by-law shall be construed as repealing or modifying any existing by-law or regulation of the Town, but shall be in addition thereto, provided that, wherever this by-law imposes greater restrictions upon the construction or use of buildings than other by-laws or provisions of law, such greater restrictions shall prevail.

#### Section 24. Invalidity.

The invalidity of any section, paragraph or provision of this by-law, or of any district or part thereof as shown upon the Zoning map, or of any boundary line shown upon said map, shall not affect the validity of any other section, paragraph or provision of this by-law, or of any other district or part thereof as shown upon the Zoning map, or of any other such boundary line.



